

*Handwritten signature/initials*

MP #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Egan, et al. :  
Serial No.: 10/038,112 : Group Art Unit No.: 1614  
Filed: December 31, 2001 : Examiner: Unknown  
For: Method for Treating Glaucoma I C :

COPY OF PAPERS  
ORIGINALLY FILED

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

I hereby certify that this correspondence is being deposited with sufficient postage with the United States Postal Service as first-class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231, on April 26, 2002.

By: *Peggy Ferello*  
Peggy Ferello

TRANSMITTAL LETTER  
&  
SMALL ENTITY STATEMENT

Transmitted herewith are the following documents in the above-identified application:

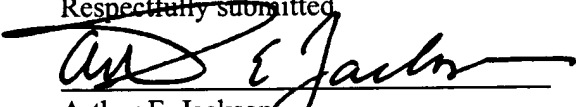
- ☒ Response to Notice of Missing Parts of Non-provisional Application and copy of Notice;
- ☒ Declaration and Power of Attorney;
- ☒ Fee Transmittal Form;
- ☒ Check No. 1005086 in the amount of \$435.00;
- ☒ Acknowledgment postcard.

Applicants request that any additional fees required by these papers be charged, or any overpayment be credited, to Deposit Account No. 04-0480.

**Small Entity Statement**

I hereby declare that the Assignee, Alteon, Inc., qualifies as a small business concern as defined in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent Office under 37 CFR 1.27(c).

Respectfully submitted,

  
Arthur E. Jackson  
Registration No. 34,354  
Attorney for Applicant

DECHERT  
P. O. Box 5218  
Princeton, NJ 08543  
Attn: Arthur E. Jackson, Esq.  
(609) 620-3254  
Fax: (609) 620-3259

#3  
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Docket No. 361331-506

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Egan, et. al.  
Serial No.: 10/038,112  
Filed: December 31, 2001  
For: Method for Treating Glaucoma I C

: Group Art Unit: 1614  
: Examiner: Unknown

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NON-PROVISIONAL APPLICATION**

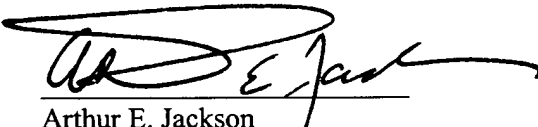
Sir:

This in response to the communication from the Patent Office entitled "Notice to File Missing Parts of Non-Provisional Application", mailed February 27, 2002. A duplicate copy of the Notice to File Missing Parts is enclosed.

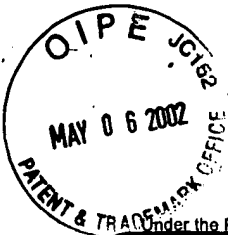
The notice indicates that the statutory basic filing fee was not paid and the oath or declaration is missing. The executed Declaration and Power of Attorney is enclosed herewith. Also enclosed is a check in the amount of \$435.00 which represents payment of the basic filing fee and the late filing fee of oath or declaration surcharge. Any overpayment or refund should also be credited to Deposit Account No. 04-0480.

Respectfully submitted,

Date: April 26, 2002

  
Arthur E. Jackson  
Registration No. 34,354  
Attorney for Applicants

DECHERT PRICE & RHOADS  
Princeton Pike Corporate Center  
PO Box 5218  
Princeton, NJ 08543-5218  
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PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$ ) 435.00**Complete if Known**

|                      |                   |
|----------------------|-------------------|
| Application Number   | 10/038,112        |
| Filing Date          | December 31, 2001 |
| First Named Inventor | Egan              |
| Examiner Name        | Unknown           |
| Group Art Unit       | 1614              |
| Attorney Docket No.  | 361331-506        |

**METHOD OF PAYMENT**

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 04-0480  
Deposit Account Name \_\_\_\_\_

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17☒ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:**

☒ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 710                    | 201 355                    | Utility filing fee     | 370.00   |
| 106 320                    | 206 180                    | Design filing fee      |          |
| 107 490                    | 207 245                    | Plant filing fee       |          |
| 108 710                    | 208 355                    | Reissue filing fee     |          |
| 114 150                    | 214 75                     | Provisional filing fee |          |

**SUBTOTAL (1)** (\$ ) 370.00**2. EXTRA CLAIM FEES**

Total Claims  -20\*\* =  X  =   
Independent Claims  -3\*\* =  X  =   
Multiple Dependent  =

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  |
|----------------------------|----------------------------|--|
| 103 18                     | 203 9                      | Claims in excess of 20                                     |
| 102 80                     | 202 40                     | Independent claims in excess of 3                          |
| 104 270                    | 204 135                    | Multiple dependent claim, if not paid                      |
| 109 80                     | 209 40                     | ** Reissue independent claims over original patent         |
| 110 18                     | 210 9                      | ** Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2)** (\$ ) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130                    | 205 65                     | Surcharge - late filing fee or oath  | 65.00    |
| 127 50                     | 227 25                     | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139 130                    | 139 130                    | Non-English specification  |          |
| 147 2,520                  | 147 2,520                  | For filing a request for <i>ex parte</i> reexamination                     |          |
| 112 920*                   | 112 920*                   | Requesting publication of SIR prior to Examiner action                     |          |
| 113 1,840*                 | 113 1,840*                 | Requesting publication of SIR after Examiner action                        |          |
| 115 110                    | 215 55                     | Extension for reply within first month                                     |          |
| 116 390                    | 216 195                    | Extension for reply within second month                                    |          |
| 117 890                    | 217 445                    | Extension for reply within third month                                     |          |
| 118 1,390                  | 218 695                    | Extension for reply within fourth month                                    |          |
| 128 1,890                  | 228 945                    | Extension for reply within fifth month                                     |          |
| 119 310                    | 219 155                    | Notice of Appeal   |          |
| 120 310                    | 220 155                    | Filing a brief in support of an appeal                                     |          |
| 121 270                    | 221 135                    | Request for oral hearing   |          |
| 138 1,510                  | 138 1,510                  | Petition to institute a public use proceeding                              |          |
| 140 110                    | 240 55                     | Petition to revive - unavoidable   |          |
| 141 1,240                  | 241 620                    | Petition to revive - unintentional   |          |
| 142 1,240                  | 242 620                    | Utility issue fee (or reissue)   |          |
| 143 440                    | 243 220                    | Design issue fee   |          |
| 144 600                    | 244 300                    | Plant issue fee  |          |
| 122 130                    | 122 130                    | Petitions to the Commissioner  |          |
| 123 130                    | 123 130                    | Petitions related to provisional applications                              |          |
| 126 180                    | 126 180                    | Submission of Information Disclosure Stmt                                  |          |
| 581 40                     | 581 40                     | Recording each patent assignment per property (times number of properties) |          |
| 146 710                    | 246 355                    | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149 710                    | 249 355                    | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179 710                    | 279 355                    | Request for Continued Examination (RCE)                                    |          |
| 169 900                    | 169 900                    | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ ) 65.00**SUBMITTED BY**

Name (Print/Type) Arthur E. Jackson  
Signature [Signature]

Registration No. 34,354  
(Attorney/Agent)

**Complete (if applicable)**

Telephone 609-620-3254  
Date April 26, 2002

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

#3

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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/038,112         | 12/31/2001          | John Egan             | 361331-506             |

25561  
ALLEN BLOOM  
C/O DECHERT  
PRINCETON PIKE CORPORATION CENTER  
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PRINCETON, NJ 08543-5218

CONFIRMATION NO. 5381

FORMALITIES LETTER



\*OC000000007545064\*

Date Mailed: 02/27/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 435.

.....

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/07/2002 5BENE001 00000080 10038112

01 FC:201  
02 FC:205170.00 OP  
65.00 OP